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PTO/SB/21 (05-03)

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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number

09/269,874

Filing Date

August 2, 1999

First Named Inventor

BUJARD, HERMANN

Group Art Unit

1645

Examiner Name

DUFFY, PATRICIA ANN

Attorney Docket Number

GRUE-003

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1) Petition (1 pg.) 2) Copy of PTOL-85 and Return Postcard as filed on September 16, 2004 (2 pgs.) 3) Copy of Express Mail Certification (1 pg.) 4) Copy of Tracking Information (1 pg.) 5) Copy of Stamped Express Mail Receipt (1 pg.) 6) Copy of Stamped Return Postcard from U.S.P.T.O. (1 pg.) 7) Return Postcard
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Certified Copy of Priority Documents	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> CD, Number of CD(s)	

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Signing Attorney/Agent
(Reg. No.)

PAULA A. BORDEN, 42,344
BOZICEVIC, FIELD & FRANCIS, LLP

Signature

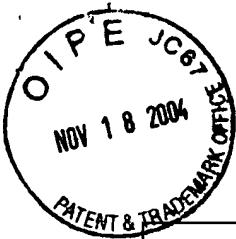
Date

November 18, 2004

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Atty Dkt. No.: GRUE-003
USSN: 09/269,874

EXPRESS MAIL NO. EV519866935US

**PETITION TO
THE COMMISSIONER UNDER
37 C.F.R. § 1.181**

Address to:
Mail Stop: Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Attorney Docket	GRUE-003
First Named Inventor	BUJARD, HERMANN
Application Number	09/269,874
Filing Date	August 2, 1999
Group Art Unit	1645
Examiner Name	DUFFY, PATRICIA ANN
Title:	"RECOMBINANT PROCESS FOR PREPARING A COMPLETE MALARIA ANTIGEN GP190/MSP1"

Sir:

This petition is submitted to the Commissioner of Patents and Trademarks under 37 C.F.R. § 1.181(a). This Petition is being filed in response to the Notice of Abandonment dated November 2, 2004. A two-month period for filing a petition to withdraw a holding of abandonment was given, making this Petition due on or before January 2, 2005. Accordingly, this Petition is timely filed.

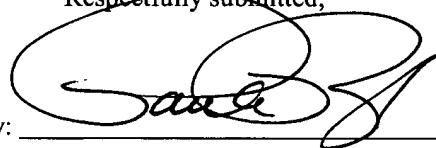
Applicant hereby petitions for withdrawal of the holding of abandonment in the present application.

The Patent Office incorrectly indicated that the application was abandoned for failure to pay the requisite Issue Fee and publication fee within the statutory 3-month period. This is in error.

A Notice of Allowance issued in the above-captioned case on June 17, 2004, making the Issue Fee due on or before September 17, 2004. The Issue Fee was timely filed on September 16, 2004. As provided for under 37 C.F.R. § 1.10(e), the following are provided herewith: 1) a copy of the PTOL-85 form as filed, showing Express Mail No. EV46 2737 953 US; 2) a copy of the Express Mail Certification, certifying that the PTOL-85 form was deposited with the United States Postal Service (USPS) on September 16, 2004; 3) a copy of the tracking information, which provides evidence that the items, including the PTOL-085 form filed in connection with this patent application, which were delivered under Express Mail No. EV46 2737 953 US, were accepted by the USPS on September 16, 2004, and were delivered to the U.S. Patent and Trademark Office on September 20, 2004; 4) a copy of the stamped Express Mail receipt; and 5) a copy of the stamped Return Postcard from the U.S. Patent and Trademark Office.

While no fee is believed due, the Commissioner is hereby authorized to charge any fees which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number GRUE-003.

Date: Nov. 18, 2004

Respectfully submitted,

By: _____
Paula A. Borden
Registration No. 42,344

BOZICEVIC, FIELD & FRANCIS LLP
1900 University Avenue, Suite 200
East Palo Alto, California 94303
Telephone: (650) 327-3400 Facsimile: (650) 327-3231



Atty/Sec: PAB/CKH

Atty Docket No. GRUE-003

Application No.: 09/269,874

Date Mailed: September 16, 2004

Filing Date: August 2, 1999

Inventor(s): BUJARD, HERMANN

Title: "RECOMBINANT PROCESS FOR PREPARING A
COMPLETE MALARIA ANTIGEN GP190/MSP1"

Enclosure(s):

- ❖ Issue Fee Transmittal + Duplicate (2 pgs.)
- ❖ Return Postcard

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PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: **Mail**

**Mail Stop ISSUE FEE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450**

or Fax (703) 746-4000

NOV 18 2004

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 4 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated in Block 1 or directed below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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24353 7590 06/17/2004

**BOZICEVIC, FIELD & FRANCIS LLP
200 MIDDLEFIELD RD
SUITE 200
MENLO PARK, CA 94025**

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

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I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO, on the date indicated below.

<i>Express Mail No.</i>	(Depositor's name)
<i>EV462737953US</i>	(Signature)
(Date)	

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/269,874	08/02/1999	HERMANN BUJARD	402162000200	1745

TITLE OF INVENTION: RECOMBINANT PROCESS FOR PREPARING A COMPLETE MALARIA ANTIGEN, GP190/MSP1

GRUE-003

RECOMBINANT

APPLN. TYPE	SMALL ENTITY	ISSUE FEE	PUBLICATION FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	YES	\$665	\$0	\$665	09/17/2004

EXAMINER	ART UNIT	CLASS-SUBCLASS
DUFFY, PATRICIA ANN	1645	435-069100

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
 "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required.

2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.

1 Paula A. Borden
2 Bozicevic, Field &
3 Francis LLP

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. Inclusion of assignee data is only appropriate when an assignment has been previously submitted to the USPTO or is being submitted under separate cover. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE: (CITY and STATE OR COUNTRY)

Hermann Bujard

Heidelberg, Germany

Please check the appropriate assignee category or categories (will not be printed on the patent): individual corporation or other private group entity government

4a. The following fee(s) are enclosed:

4b. Payment of Fee(s):

- Issue Fee
 Publication Fee
 Advance Order - # of Copies 10

- A check in the amount of the fee(s) is enclosed.
 Payment by credit card. Form PTO-2038 is attached.
 The Director is hereby authorized to charge the required fee(s), or credit any overpayment, to Deposit Account Number 50-0815 (enclose an extra copy of this form).

Director for Patents is requested to apply the Issue Fee and Publication Fee (if any) or to re-apply any previously paid issue fee to the application identified above.

(Authorized Signature) Paula A. Borden (Date) 09/16/2004

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- ARRIVAL AT UNIT, September 18, 2004, 9:29 am, DULLES, VA 20102
- ACCEPTANCE, September 16, 2004, 4:50 pm, MENLO PARK, CA 94025

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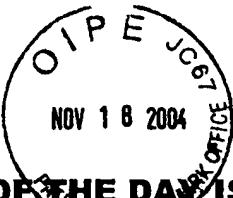


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DATE: September 16, 2004



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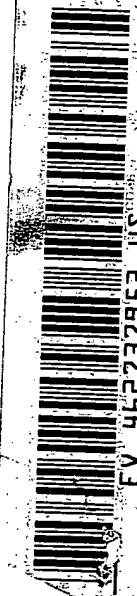
Date 9-16-04

Atty. Docket No.	Serial Number	Description	Atty.	Fee
STAN-303	10/826,472	Transmittal, Supplemental ADS	PJS	
CELL-017	09/814,357	Transmittal, Petition for a 2 Month Extension of Time <i>in duplicate</i> , Amendment After Final Rejection	PJS	\$210
UCAL-280	10/809,777	IDS, SB08A, (32) Cited References	PAB	
GRUE-003	09/269,874	PTOL-85 <i>in duplicate</i>	PAB	\$665
LBLB-002CIPCON2	10/155,918	Transmittal, Restriction Requirement	KYB	
CELL-018CON	10/691,045	Transmittal, IDS, SB08A, Copy of (1) Cited Reference, Copy of EP Communication dated 08/18/04	PJS	
CELL-021	10/053,886	Transmittal, IDS, SB08A, Fee Sheet <i>in duplicate</i> , Copy of (1) Cited Reference, Copy of EP Communication dated 08/18/04	PJS	\$180


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Atty/Sec: PAB/CKH
Atty Docket No. GRUE-003
Application No.: 09/269,874

Date Mailed: September 16, 2004
Filing Date: August 2, 1999

Inventor(s): BUJARD, HERMANN

Title: "RECOMBINANT PROCESS FOR PREPARING A
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